

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

ERIKA A. MIELKE,

Civil Case No. 09-895-ST

Plaintiff,

O R D E R

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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KING, Judge:

The Honorable Janice Stewart, United States Magistrate Judge, filed Findings and Recommendation on February 19, 2010. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Stewart's Findings and Recommendation (#16) dated February 19, 2010 in its entirety.

IT IS HEREBY ORDERED that the Commissioner's Motion to Dismiss (#8) is granted.

DATED this 29th day of March, 2010.

/s/ Garr M. King

GARR M. KING
United States District Judge